

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

KYLE FELLERS, *et al.*,

Plaintiffs,

v.

MARCY KELLEY, *et al.*,

Defendants.

Case No. 1:24-cv-311-SM-AJ

SECOND DECLARATION OF ANTHONY C. FOOTE

I, Anthony C. Foote, declare the following based on my personal knowledge:

1. I live in Bow, New Hampshire, with my wife Nicole and children. I have two daughters who attend public schools in Bow School District, a part of State Administrative Unit 67.

2. My oldest daughter is a senior at Bow High School and plays on the varsity girls' lacrosse team during the spring sports season. My younger daughter is a seventh grader at Bow Memorial School (the local middle school) and plans to play on the middle school girls' lacrosse team during the spring sports season.

3. Because my elder daughter is a senior, this year's spring sports season will be my last chance to watch her compete as a Bow School District athlete. I also plan to attend Bow High School games after my daughter graduates, including when she is back home visiting the area.

4. I plan on attending Bow High School varsity girls' lacrosse games and other extracurricular events, on and off Bow High School grounds, throughout the spring sports season, the school year, and future school years.

5. If permitted, I would silently but visibly protest in defense of girls' and women's sports at some of these events, including at some upcoming Bow High School and Memorial School girls' lacrosse games, by wearing a pink XX wristband on the parents' sidelines during the game, by distributing wristbands, or by holding signs in the parking lot. I believe, however, that for the foreseeable future during this and future school years, protesting in a visible way could cause Defendants to remove me from school property and take out a new No Trespass Order against me, perhaps lasting through the end of the season as the original No Trespass Order that I received in September threatened.

6. I also continue to worry that protesting on the sidelines in a silent but visible way by wearing a pink wristband during this and future school years could potentially cause Bow School District sports teams to forfeit games, have games suspended, and become ineligible for the playoffs. This is why I have not been wearing the pink wristband I would like to wear or otherwise silently protesting on school property.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 25, 2025



Anthony C. Foote